

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1-20. (Canceled)

21. (Currently amended) A method of effectuating a data service in a communication system ~~from an originating station to a terminating endpoint, said method comprising:~~ receiving a request for said data service ~~with an intended receiving station~~, the request indicating a service delivery mode associated with the data service; and routing said data service ~~to a terminating endpoint~~ based on said service delivery mode, wherein said service delivery mode is selected from the group consisting of:

a background service delivery mode,
a diagnostic service delivery mode,
a maintenance service delivery mode, and
a foreground service delivery mode.

22. (Currently amended) The method as recited in claim 21 wherein ~~said~~ a terminating endpoint to which said data service is routed is selected from the group consisting of:

an intended receiving station of said data service,
a terminating station, and
a store and forward location.

23. (Canceled)

24. (Currently amended) The method as recited in claim ~~21~~²² wherein said terminating endpoint is said intended receiving station if said service delivery mode is a background service delivery mode, a diagnostic service delivery mode, or a maintenance service delivery mode.

25. (Original) The method as recited in claim 21 wherein said request includes an indication of said service delivery mode, and wherein said associating includes employing said indication to associate said service delivery mode with said data service.

26. (Currently amended) The method as recited in claim 21 wherein said associating includes obtaining said service delivery mode from a database based on an identity of saidan originating station from which said data service is effectuated.

27. (Currently amended) The method as recited in claim 21 wherein said associating includes determining said service delivery mode based on saidan intended receiving station of said data service or saidan originating station from which said data service is effectuated.

28. (Currently amended) The method as recited in claim 21 further comprising; obtaining service interaction indicia associated with saidan intended receiving station of said data service; and wherein said routing further includes routing said data service based on said service interaction indicia and said service delivery mode.

29. (Original) The method as recited in claim 28 wherein said service interaction indicia is selected from the group consisting of:

- a call-forwarding-busy,
- a call-forwarding-default,
- a call-forwarding-no answer,
- a call-forwarding-unconditional, and
- a do-not-disturb.

30. (Currently amended) The method as recited in claim 21 wherein said routing further includes:

obtaining service interaction indicia associated with saidan intended receiving station of said data service,

generating an acceptance request to said intended receiving station, and

routing based on a response to said acceptance request and said service interaction indicia, if said service delivery mode is a foreground service delivery mode.

31. (Currently amended) The method as recited in claim 30 wherein said a terminating endpoint to which said data service is routed is said intended receiving station if said response indicates acceptance of said data service

32. (Currently amended) A method of initiating a data service from an originating station in a communication system, said method comprising:

generating a data service request, wherein said request includes an indication of a service delivery mode associated with said data service, and wherein said service delivery mode is selected from the group consisting of:

a background service delivery mode,
a diagnostic service delivery mode,
a maintenance service delivery mode, and
a foreground service delivery mode.

33. (Canceled)

34. (Currently amended) A method of receiving a data service at a receiving station in a communication system, said method comprising:

receiving an indication of delivery of said data service, wherein said indication includes a service delivery mode;

receiving said data service from said communication system; and

processing said data service in a manner based on whether the service delivery mode is a background service delivery mode, a maintenance service delivery mode, a diagnostic service delivery mode, and a foreground service delivery mode.

35. (Canceled)

36. (Original) The method as recited in claim 34 wherein said processing includes not alerting the user of the receiving station if said service delivery mode is a background service delivery mode, a maintenance service delivery mode, or a diagnostic service delivery mode.

37. (Currently amended) The method as recited in claim 34 further comprising:
receiving instructions from said a communication system from which said data service is received regarding not alerting a receiving party at said receiving station about delivery of said data service; and wherein said processing includes processing said data service responsive to said instructions.

38. (Currently amended) A method of receiving a data service at a receiving station ~~in a communication system, said method~~ comprising:

receiving an indication of delivery of said data service, wherein said indication includes a service delivery mode, and wherein said service delivery mode is selected from the group consisting of:

a background service delivery mode,
a diagnostic service delivery mode,
a maintenance service delivery mode, and
a foreground service delivery mode; and

requesting a response regarding acceptance of said data service from a user of said receiving station, if said service delivery mode is a foreground service delivery mode.

39. (Currently amended) The method as recited in claim 38 wherein said requesting further includes transmitting said response to said a communications system in which said receiving station operates.

40. (Currently amended) The method as recited in claim 38 wherein said requesting further includes transmitting an indication of said response to said a communications system in which said receiving station operates.

41. (Currently amended) An apparatus for effectuating a data service ~~in a communication system, said apparatus comprising:~~

a delivery mode determiner configured to associate a service delivery mode with said data service based on an indication of the service delivery mode within a request for effectuation of said data service ~~with an intended receiving station~~; and

a call delivery director, configured to conduct call set-up procedures and route said data service ~~to a terminating endpoint~~ based on said service delivery mode, wherein said service delivery mode is one selected from the group consisting of:

a background service delivery mode,
a diagnostic service delivery mode,
a maintenance service delivery mode, and
a foreground service delivery mode.

42. (Currently amended) The apparatus as recited in claim 41 wherein ~~said~~ a terminating endpoint to which said data service is routed is selected from the group consisting of:

an intended receiving station of said data service,
a terminating station, and
a store and forward location.

43. (Canceled)

44. (Currently amended) The apparatus as recited in claim [[41]]42 wherein said terminating endpoint is said intended receiving station if said service delivery mode is a background service delivery mode, a diagnostic service delivery mode, or a maintenance service delivery mode.

45. (Original) The apparatus as recited in claim 41 wherein said request includes an indication of said service delivery mode, and wherein said delivery mode determiner is further configured to employ said indication to associate said service delivery mode with said data service.

46. (Currently amended) The apparatus as recited in claim 41 further comprising:
a database comprising a plurality of database entries, each of said database entries
contains an originating station identifier and an associated service delivery mode; and
said delivery mode determiner is further configured to obtain said associated service
delivery mode from said database based on an identity of saidan originating station from
which said data service is effectuated and employ said associated service delivery mode as
said service delivery mode.

47. (Currently amended) The apparatus as recited in claim 41 further comprising:
a database comprising a plurality of database entries, each of said database entries
contains a receiving station identifier and associated service interaction indicia;
a service interaction indicia determiner configured to determine service interaction
indicia values from said associated service interaction indicia obtained from said database
based on an identity of saidan intended receiving station of said data service; and
wherein said call delivery director is further configured to route said data service
based on said service interaction indicia.

48. (Original) The apparatus as recited in claim 47 wherein said service interaction indicia
is selected from the group consisting of:
a call-forwarding-busy, a call-forwarding-default,
a call-forwarding-no answer,
a call-forwarding-unconditional, and
a do-not-disturb.

49. (Currently amended) The apparatus as recited in claim 41 further comprising:
a database comprising a plurality of database entries, each of said database entries
contains a receiving station identifier and associated service interaction indicia;
a service interaction indicia determiner configured to determine service interaction
indicia values from said associated service interaction indicia obtained from said database
based on an identity of saidan intended receiving station of said data service; and

wherein said call delivery director is further configured to generate an acceptance request to said intended receiving station and to route said data service based on said service interaction indicia and a response to said acceptance request, if said service delivery mode is a foreground service delivery mode.

50. (Currently amended) The apparatus as recited in claim 49 wherein said a terminating endpoint to which said data service is routed is said intended receiving station if said response indicates acceptance of said data service.

51. (Currently amended) An apparatus to originate a data service ~~in a communication system, said apparatus~~ comprising:

a processor configured to generate a data service request, wherein said data service request includes an indication of a service delivery mode associated with said data service; and a transmitter configured to transmit said data service request, and wherein said service delivery mode is one selected from the group consisting of:

- a background service delivery mode,
- a diagnostic service delivery mode,
- a maintenance service delivery mode, and
- a foreground service delivery mode.

52. (Canceled)

53. (Currently amended) An apparatus for receiving and processing a data service ~~in a communication system, said apparatus~~ comprising:

a receiver configured to receive an indication of a delivery of said data service, wherein said indication includes a service delivery mode associated with the data service, and to receive said data service ~~from said communication system~~; and

a processor configured to process said data service in a manner based on whether the service delivery mode is a background service delivery mode, a maintenance service delivery mode, a diagnostic service delivery mode, and a foreground service delivery mode.

54. Canceled.

55. (Original) The apparatus as recited in claim 53 wherein said processor is further configured to not alert a user of said apparatus if said service delivery mode is a background service delivery mode, a maintenance service delivery mode, or a diagnostic service delivery mode.

56. (Currently amended) The apparatus as recited in claim 53[[::]] wherein said receiver is further configured to receive instructions from said a communication system from which said data service is received regarding not alerting a user of said apparatus about delivery of said data service;

wherein said processor is further configured to process said instructions; and
said apparatus further comprises a user-interface configured to provide data service information to and receive data service information from a user of said apparatus.

57. (Currently Amended) A data service apparatus in a communication system, said apparatus comprising:

a receiver configured to receive an indication of a delivery of a data service, wherein said indication includes a service delivery mode associated with the data service, the service delivery mode being one selected from the group consisting of a background service delivery mode, a maintenance service delivery mode, a diagnostic service delivery mode, and a foreground service delivery mode; and

a user-interface configured to alert a user of said apparatus upon receipt of said indication, and wherein said user-interface is further configured to receive a response to said alert from said user.

58. (Currently Amended) The data service apparatus as recited in claim 57 further comprising:

a transmitter configured to transmit said response to said a communication system in which said data service apparatus operates.

59. (Currently Amended) The data service apparatus as recited in claim 57 further comprising: a transmitter configured to transmit an indication of said response to said communication system in which said data service apparatus operates.